

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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APR 3 - 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Federal-State Joint Board on
Universal Service)

DOCKET FILE COPY ORIGINAL

CC Docket No. 96-45

AAD/USB File No. 98-42

COMMENTS OF U S WEST, INC.

U S WEST, Inc. hereby files these comments in support of the Petition of the Colorado Public Utilities Commission ("Colorado Commission") for a waiver of 47 U.S.C. Section 254 as that Section pertains to Great Plains Communications ("Great Plains") a communications company which serves customers in northeastern Colorado.¹ Great Plains filed its application for eligible telecommunications carrier designation with the Colorado Commission on December 19, 1997. Due to the procedures of the Colorado Commission and other circumstances, the Colorado Commission was unable to adopt its order on Great Plains' application until February 4, 1998.

In its Fourth Order on Reconsideration the Federal Communications Commission ("Commission") stated:

¹ Petition for Waiver of Section 254 Filed by the Colorado Public Utilities Commission on Behalf of Great Plains Communications, filed. Feb. 19, 1998 ("Petition"). Public Notice, Colorado Public Utilities Commission Seeks Retroactive Universal Service Support on Behalf of Great Plains Communications, DA 98-421, rel. Mar. 19, 1998. Due to the brevity of these comments in support of the Colorado Commission's Petition, no headings were utilized from which to create a Table of Contents as required by the Public Notice. An electronic copy of these comments is being submitted via diskette.

a state commission that is unable to designate as an eligible telecommunications carrier, by January 1, 1998, a carrier that sought such designation before January 1, 1998, should be permitted, once it has designated such carrier, to file with the Commission a petition for waiver requesting that the carrier receive universal service support retroactive to January 1, 1998. A state commission filing such a petition must explain why it did not designate such carrier as eligible by January 1, 1998 and provide a justification for why providing support retroactive to January 1, 1998 serves the public interest.²


The Colorado Commission's Petition is in compliance with the Commission's Fourth Order on Reconsideration and should be granted. It is in the public interest that all customers including those served by Great Plains receive the full, uninterrupted benefits of Federal universal service support mechanisms.

U S WEST supports the Colorado Commission's Petition and urges the Commission to grant a waiver of Section 254 and permit Great Plains to receive universal service support retroactive to January 1, 1998.

Respectfully submitted,

U S WEST, INC.

By:



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Of Counsel,
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April 3, 1998

Its Attorney

² In the Matter of Federal-State Joint Board on Universal Service, Access Charge Reform, Price Cap Performance Review for Local Exchange Carriers, Transport Rate Structure and Pricing, End User Common Line Charge, Fourth Order on Reconsideration in CC Docket No. 96-45, Report and Order in CC Docket Nos. 96-45, 96-262, 94-1, 91-213, 95-72, FCC 97-420, rel. Dec. 30, 1997 ¶ 23; appeals pending sub nom. United States Telephone Association v. FCC, No. 98-1098 (and cons. No. 98-1064) (D.C. Cir.).

CERTIFICATE OF SERVICE

I, Kelseau Powe, Jr., do hereby certify that on this 3rd day of April, 1998, I have caused a copy of the foregoing **COMMENTS OF U S WEST, INC.** to be served, via first class United States Mail, postage pre-paid, upon the persons listed on the attached service list.


Kelseau Powe, Jr.

*Served via hand delivery.

(CC96-45v-cos)

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